

# WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION  
UNITED INTERNATIONAL BUREAUX FOR THE PROTECTION OF INTELLECTUAL PROPERTY

GENEVA

BIRPI

**ADMINISTRATIVE BODIES  
OF WIPO AND OF THE UNIONS ADMINISTERED BY WIPO AND BIRPI**

**First Series of Meetings  
Geneva, September 21 to 29, 1970**

GENERAL REPORT

prepared by the Secretariat

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## I. INTRODUCTION

1. This General Report contains an account of the deliberations and decisions of the:

General Assembly, Conference, and Coordination Committee, of WIPO,

Assemblies, and Conferences of Representatives, of the Paris, Berne and Nice Unions,

Executive Committees of the Paris and Berne Unions,

meeting at Geneva from September 21 to 28, 1970, where the deliberations took place in, or the decisions concerned, two or more of the said eleven bodies. The full names of the bodies are indicated in Annex A to document AB/I/1.Rev.

2. In addition to this General Report, separate reports have been drawn up on the sessions of each of the said eleven bodies (documents WO/GA/I/5, WO/CF/I/4, WO/CC/I/13, P/A/I/3, P/CR/III/3, P/EC/VI/9, B/A/I/3, B/CR/I/3, B/EC/I/3, N/A/I/3, N/CR/I/3). They cover the deliberations and decisions not fulfilling the said conditions. They also refer, where appropriate, to this General Report.

## II. OPENING OF THE MEETINGS

3. The meetings were opened by Professor G.H.C. Bodenhausen, Director of BIRPI. He welcomed the participants and emphasized the importance of this first series of meetings of the administrative bodies of the World Intellectual Property Organization and the Paris, Berne and Nice Unions. He recalled the two main events which had recently taken place: the entry into force of the WIPO Convention on April 26, 1970, and the adoption of the Patent Cooperation Treaty on June 19, 1970. He renewed his thanks to the Governments of Sweden and the United States of America for their hospitality during the Stockholm and Washington Diplomatic Conferences.

4. In order to facilitate the progress of the present meetings, the Director of BIRPI suggested that all the States represented form an Ad Hoc Committee of the Whole, whose Chairman would also assume the provisional chairmanship of each of the eleven bodies until the latter elected their respective officers.

5. This suggestion was unanimously adopted. On the proposal of the Delegation of France, seconded by the Delegations of Argentina, Germany (Federal Republic), Hungary, Italy, Morocco and the Soviet Union, Mr Edward Armitage (United Kingdom) was elected Chairman of the Ad Hoc Committee of the Whole.

## III. DECLARATIONS OF A GENERAL NATURE

6. The Delegation of Bulgaria, emphasizing the importance of the questions to be examined in a spirit of cooperation among all the States, expressed regret that the German Democratic Republic had not been invited to participate in the present deliberations. It recalled that the German Democratic Republic had deposited its instruments of accession to the texts adopted by the Stockholm Conference, that its accession had been notified by the Director of BIRPI on July 19, 1968, and that the German Democratic Republic, which was recognized as an independent sovereign State by an ever-increasing number of States, was fully qualified to participate in this first series of meetings of the administrative bodies of WIPO and the Unions. It expressed its hope that the German Democratic Republic would be invited to subsequent meetings.

7. The Delegation of the Soviet Union stated that its country considered that the inaugural meetings of the World Intellectual Property Organization represented a new step forward in the field of economic, scientific and technical cooperation among States with different social structures; and that such cooperation should promote science and technology and stimulate the creative activity of mankind. It pointed out that inventions played a considerable part in the development of progress and the improvement of the standards of living of the peoples of the world. Referring to the activities of the Soviet Patent Office (which anticipates 140,000 patent applications for the current year), the Delegation of the Soviet Union assured the Delegations present of its desire to participate fully in all the tasks of the World Intellectual Property Organization, and expressed the hope that the membership of the new Organization would increase rapidly in the coming years. The Delegation of the Soviet Union regretted, however, that the German Democratic Republic, which it considered a full member of the said Organization, had not been invited to the present meetings. It expressed the wish that the German Democratic Republic should be invited to participate in the proceedings.

8. The Delegation of Czechoslovakia subscribed to the regret expressed at the absence of the German Democratic Republic, which a year previously had celebrated its twentieth year of existence, which was one of the most highly industrialized countries of the world and one whose policies respected the principles of international law set forth in the Charter of the United Nations. The Delegation of Czechoslovakia asked that the German Democratic Republic be invited to participate in future.

9. The Delegation of Poland, in its turn, recalled the accession of the German Democratic Republic to the texts adopted at Stockholm in 1967 and regretted the absence of that country, which it considered to be an act of unjustifiable discrimination.

10. The Delegations mentioned in the last four paragraphs filed, in addition, written statements with the Secretariat.

11. The Delegation of Romania also endorsed the previous declarations, and expressed the wish that the German Democratic Republic would no longer be excluded from the deliberations of the World Intellectual Property Organization and the Unions.

12. The Delegation of Hungary filed a written statement emphasizing the importance of the entry into force of the WIPO Convention and the creation of new bodies in the field of intellectual property, and expressing regret that the German Democratic Republic had not been invited to take part in their meetings.

13. The Delegation of Cuba endorsed the protests which had been voiced in connection with the failure to invite the German Democratic Republic.

#### IV. ESTABLISHMENT OF CONFERENCES OF REPRESENTATIVES OF THE BERNE AND NICE UNIONS

14. The States members of the Berne Union but not of its Assembly and members of the Nice Union but not of its Assembly examined the Draft Resolutions contained in Annexes B and C of document AB/I/1.Rev. On a proposal made by the Delegation of Sweden, they decided to delete, in each of these Drafts, paragraph 7 concerning the convening of extraordinary sessions, in view of the fact that this matter is also dealt with, more completely, in the Draft Rules of Procedure of the Assemblies. They adopted the amended Resolutions unanimously, thus creating for the Berne and Nice Unions Conferences of Representatives analogous to that established for the Paris Union by Article 14(5) of the Lisbon Act of the Paris Convention. The texts of these Resolutions are attached as Annexes A and B.

15. The Delegation of Austria expressed the view that these Resolutions amounted in fact to amendments of the Berne Convention and the Nice Agreement and that, for that reason, although his Government was in favor of their adoption, it

could adopt them only subject to ratification. It added that for the same reason Austria could not be considered as having taken part in the votes of the Conferences of Representatives of the Berne and Nice Unions.

#### V. ADOPTION OF RULES OF PROCEDURE

16. The Draft Rules of Procedure contained in documents AB/I/2 and AB/I/24 were first examined and discussed by the Ad Hoc Committee of the Whole. As a result of comments made during those discussions by the Delegations of the Netherlands and of Sweden, the Secretariat proposed two amendments in document AB/I/28.

17. The relevant Rules of Procedure thus proposed were adopted unanimously by the General Assembly of WIPO, the Conference of WIPO, the Assemblies of the Paris, Berne and Nice Unions, and the Conference of Representatives of the Nice Union. After they had been established, the Executive Committees of the Paris and Berne Unions and the Coordination Committee of WIPO adopted unanimously their respective Rules of Procedure as proposed in documents AB/I/2, AB/I/24 and AB/I/28.

18. A long discussion took place on the Rules of Procedure proposed for the Conferences of Representatives of the Paris and Berne Unions, with reference to Rule 5 concerning the election of associate members of the Executive Committees.

19. On a proposal made by the Delegation of Cameroon, seconded by the Delegation of Tunisia, the Conference of Representatives of the Paris Union decided, by 4 votes to 1, with 2 abstentions, to modify as follows Article 5(1)(b) as contained in document AB/I/2 and amended by documents AB/I/24 and AB/I/28:

"5(1)(b) However, if the number of States represented at the session is less than twenty, the Conference of Representatives of the Paris Union shall elect, from among its members, to the Executive Committee of the Paris Union in the capacity of associate members the number of States equal to one-fourth of all its members, whether represented at the session or not, provided that the number of States so elected shall not exceed five."

20. For its other Rules of Procedure, the Conference of Representatives of the Paris Union adopted unanimously the Draft Rules as contained in document AB/I/2 and amended by document AB/I/24.

21. The Conference of Representatives of the Berne Union adopted unanimously the Rules of Procedure as proposed in document AB/I/2 and amended by documents AB/I/24 and AB/I/28, after modifying Rule 5(1)(b) as follows, on the proposal of the Delegation of Cameroon, seconded by the Delegation of Argentina:

"5(1)(b) However, if the number of States represented at the session is less than twenty, the Conference of Representatives of the Berne Union shall elect, from among its members, to the Executive Committee of the Berne Union in the capacity of associate members the number of States equal to one-fourth of all its members, whether represented at the session or not, provided that the number of States so elected shall not exceed five."

22. The Rules of Procedure of the different bodies are attached to this General Report in the form in which they were adopted (document AB/I/34).

#### VI. EXECUTIVE COMMITTEES OF THE PARIS AND BERNE UNIONS

23. The establishment of the Executive Committees of the Paris and Berne Unions was first discussed by the Nominations Committee composed of the heads of all Delegations and presided over by the Chairman of the Ad Hoc Committee of the Whole.

24. The Delegation of the Netherlands asked whether or not, pursuant to Articles 14 and 23 of the Paris and Berne Conventions, respectively, Switzerland, which was an ex officio member, should be included in the one-fourth of the number of countries members of the Assembly referred to in paragraph (3) of those Articles. The Committee gave a negative reply to this question.

25. The Nominations Committee submitted proposals to the Assemblies and the Conferences of Representatives of the Paris and Berne Unions (document AB/I/INF/3, II and III). These proposals, supplemented by the Chairman of the Nominations Committee, were adopted unanimously and gave rise to the following decisions by the bodies concerned, on September 21, 1970:

(a) The Assembly of the Paris Union elected the following States, in addition to Switzerland (an ordinary member ex officio), as ordinary members of the Executive Committee of the Paris Union: Brazil, France, Germany (Federal Republic),

Hungary, Japan, Senegal, Soviet Union, Sweden, United Kingdom, United States of America. The Conference of Representatives of the Paris Union elected the following States as associate members of the Executive Committee of the Paris Union: Argentina, Australia, Cameroon, Ceylon, Kenya.

(b) The Assembly of the Berne Union elected the following States, in addition to Switzerland (an ordinary member ex officio), as ordinary members of the Executive Committee of the Berne Union: Canada, France, Germany (Federal Republic), Italy, Pakistan, Romania, Tunisia, United Kingdom. In addition, the Assembly decided that as soon as the number of its members reached 36 Spain would automatically become an ordinary member of the Executive Committee of the Berne Union without its being necessary to convene a new meeting for that purpose. The Conference of Representatives of the Berne Union elected the following States as associate members of the Executive Committee of the Berne Union: Congo (Democratic Republic), India, Mexico, Philippines, Poland.

#### VII. APPOINTMENT OF THE DIRECTOR GENERAL

26. The discussions were based on documents AB/I/12, 17, 22 and 30.

27. First, the Coordination Committee met to nominate a candidate for appointment to the position of Director General of WIPO and noted that Professor G.H.C. Bodenhausen, Director of BIRPI, was the sole candidate.

28. The Delegations of the States listed below in the order in which they spoke each praised Professor Bodenhausen in turn, paying eloquent tribute to his eminent qualities, his outstanding professional experience, his gift for diplomacy, his merits and his talent, and gave their support to his candidature for the post of Director General of WIPO: Germany (Federal Republic), United States of America, Soviet Union, Japan, Romania, France, Brazil, Tunisia, Italy, Czechoslovakia, United Kingdom, Canada, Switzerland, Argentina, Australia, Cameroon, Sweden, Hungary, Ireland, Norway, Yugoslavia, Netherlands, Kenya.

29. The Delegation of Switzerland, recalling that the appointment of Professor Bodenhausen as Director of BIRPI had been extended to the end of 1972, added that it was authorized to state that, if the General Assembly of WIPO decided to appoint him as Director General of WIPO until its next ordinary session in the autumn of 1973, the Supervisory Authority would have no objection to extending the period of his appointment as Director of BIRPI until the same date.



30. The Chairman of the Coordination Committee noted that the candidature had received the warm support of all Delegations, and the Coordination Committee unanimously decided to nominate Professor Bodenhausen for appointment to the position of Director General of WIPO until the next ordinary session of the General Assembly.

31. Secondly, the General Assembly appointed Professor Bodenhausen, by acclamation, as Director General of WIPO. There was also unanimity in the Assemblies of the Paris and Berne Unions.

32. The Chairman then informed Professor Bodenhausen of his appointment.

33. The Delegation of France, speaking on behalf of all the Delegations present, congratulated Professor Bodenhausen and once again paid tribute to his qualities both as a senior international official and as a person.

34. The Delegations of Germany (Federal Republic), the Soviet Union and the United States of America expressed their desire to share in this tribute.

35. Professor Bodenhausen then gave a short address the text of which is attached as Annex C.

36. Thirdly, on the basis of an agreement reached by a working group and the Director General, the General Assembly fixed the conditions of the appointment of the Director General as stated in document AB/I/30.

#### VIII. FINANCIAL REGULATIONS

37. The discussions were based on documents AB/I/5 and AB/I/16.

38. The Delegation of Switzerland declared that its Government was ready to accept the suggestions contained in document AB/I/5 as modified by document AB/I/16 and to advance the funds necessary for delaying the application of the Stockholm provisions regarding the date on which contributions are due and the constitution of the working capital funds.

39. Several Delegations expressed their appreciation of the attitude of the Swiss Government in this respect.

40. The General Assembly of WIPO and the Assemblies of the Paris, Berne and Nice Unions unanimously adopted the Financial Regulations as proposed in documents AB/I/5 and AB/I/16.

41. The General Assembly and the Conference of WIPO and the Assemblies of the Paris, Berne and Nice Unions decided to delay the application of the provisions of the Stockholm texts regarding the date on which contributions are due and the constitution of the working capital funds, and invited the Director General to submit, after consultation with the Coordination Committee in the latter's 1971 session, a time table for the application of the said provisions after 1973, which should be communicated to all interested Governments towards the end of 1971. It was understood that if any State wished to give immediate effect to the provisions of the Stockholm texts regarding the date on which contributions are due it could do so.

#### IX. AUDITORS

42. The discussions were based on document AB/I/6.

43. The Delegation of Switzerland confirmed that its Government was ready to assume the task of auditing the accounts of WIPO and of the Paris, Berne and Nice Unions, at least until the next ordinary sessions of the WIPO General Assembly and the Assemblies of the said Unions.

44. The General Assembly of WIPO and the Assemblies of the Paris, Berne and Nice Unions expressed their deep appreciation to the Government of Switzerland and unanimously decided to designate Switzerland as auditor.

#### X. OBSERVERS

45. The discussions were based on document AB/I/14.

46. The Delegation of Czechoslovakia, supported by that of the Soviet Union, suggested that the Council of Presidents of the Patent Offices of Socialist States be included in Category B (document AB/I/14, paragraph 15). It was agreed that the suggestion would be considered once the said Council had presented a request in writing to the Director General.

47. The WIPO General Assembly, the WIPO Conference, the WIPO Coordination Committee, the Assemblies and Conferences of Representatives of the Paris, Berne and Nice Unions, as well as the Executive Committees of the Paris and Berne Unions, each as far as it was concerned, unanimously decided to adopt the suggestions contained in document AB/I/14.

XI. CONFIRMATION OF ICIREPAT

48. The Assembly and the Conference of Representatives of the Paris Union confirmed ICIREPAT as proposed in document AB/I/13.

XII. ACTIVITIES OF THE INTERNATIONAL BUREAU

49. The discussions were based on documents AB/I/3, 4, 23, 26 and 29, concerning activities since the last session (1967) of the Conference of Representatives of the Paris Union as far as that Union is concerned, and the last session (1969) of the Interunion Coordination Committee as far as other Unions and WIPO are concerned.

50. Priority Fees. A lengthy exchange of views took place on the question of priority fees (see paragraphs 79 to 86 of document AB/I/3). The Delegations of Algeria, Argentina, Australia, Bulgaria, Czechoslovakia, Hungary, the Netherlands, Poland, Portugal, Romania, the Soviet Union, Spain, the United Arab Republic and Yugoslavia expressed the view that the study of this question should be continued since the subject was not completely exhausted and since it deserved a great deal of attention in view of the increasing financial burden on the member countries of the Paris Union. The Delegation of the Soviet Union said that the financial burden of the Paris Union should be shared by the users of the patent system. The Delegation of Spain said that Spain's interest in an international solution had somewhat diminished since that country was now preparing legislation to introduce higher fees on the national level. The Delegation of the Netherlands observed that it would be advisable to carry out first a study of the Union's general financial situation.

51. The Delegations of Denmark, Germany (Federal Republic), Norway, Sweden, Switzerland, the United Kingdom and the United States of America opposed continuation of the study on some or all of the following grounds: incompatibility with the Paris Convention, undesirability of burdening the users of the patent system, opposition by private circles, and the likelihood that the cost of administering a priority fee system might absorb most of the fees.

52. In reply to a suggestion that the Secretariat study this question or other possibilities of creating revenues for the Paris Union apart from the system of contributions by the member States, the Director General stated that the Secretariat had already studied the matter. It had found that, for practical and legal reasons, the opening of other new sources of revenue did not seem possible, that no

suggestions could be expected from the International Bureau, and that any proposals would have to come from member States.

53. Thereupon, the Assembly and the Conference of Representatives of the Paris Union, by a vote of 21 for, 8 against, and 14 abstentions, decided that the Director General should invite a committee of experts to examine the proposals which the member States of the Paris Union would be asked to make with regard to the opening of new sources of revenue for the Paris Union. As to the composition of the committee of experts, it was agreed that it should comprise an equitable representation of both opinions expressed during the foregoing discussion and should include financial experts. It was also understood that a further study of the viability of a system of priority fees was not excluded from the mandate of the committee of experts.

54. UNIDO. The Director General informed the meeting that the Executive Director of UNIDO had requested him to draw the attention of the competent authorities of the member States to the importance which UNIDO attached to the Third Pledging Conference of UNIDO, to be held on November 10, 1970, during the twenty-fifth session of the General Assembly of the United Nations, as a valuable means of providing for supplementary financing of its growing operational activities. The meeting took note of this communication.

55. Financial Questions Concerning the Year 1969. The Delegation of Austria expressed concern with regard to the distribution among the Unions of the cost of certain items and asked, in particular, for explanations as to the percentages of the Madrid Union in the items "External Relations" and "Extension of the Headquarters Building." It found these percentages too high. The Secretariat replied that the "External Relations" percentage was the same as the "Director's Office" percentage, since the former was a prolongation of the latter in the field of public relations, depositary functions, and contacts with member States and other organizations. As to the "Extension of the Headquarters Building," the Secretariat replied that the percentage corresponded to the surface used for the purposes of the Madrid Union and that there was no other basis on which to distribute the cost. On a further question from the Delegation of Austria, the Secretariat stated that the cost of construction (as distinguished from the cost of general planning for construction, the only cost now involved) would be a matter of accounting among the various Unions and that each Union would, eventually, contribute towards the cost of construction in strict proportion to the use it made of the buildings. For further details, it referred to document WO/CC/I/8, paragraph 11.

56. The Delegation of Spain asked that the record show that the fact that Spain had now ratified the Additional Act of Monaco of the Hague Agreement would contribute towards lessening the deficits of the Hague Union.

57. Conclusions. After having also reviewed the other parts of the reports in question, the Assembly of the Paris Union approved them, as well as the activities of the International Bureau, and the Conference of Representatives expressed a favorable opinion in respect of the same.

### XIII. PROGRAM AND BUDGET

58. The discussions concerning the draft program and budget of the International Bureau for the years 1971 to 1973 for the Paris, Berne and Nice Unions and for the year 1971 for the other Unions and Units were based on documents AB/I/7, 8, 9, 10, 11.Rev., 15, 18, 19, 20, 21, 27, and 31, as well as on documents WO/CF/I/2 and P/EC/VI/4.

59. Traineeships for Developing Countries (document AB/I/7; paragraph 15). The Delegations of Australia, Austria, Germany (Federal Republic), the Soviet Union, the United Kingdom and the United States of America, whose national Offices are among those which have provided training for trainees from developing countries, expressed their willingness to continue and, in the case of the Soviet Union and the United States of America, even increase their participation in this aspect of the legal-technical assistance program. The Delegation of the United States said that experience had shown that 6 to 8 weeks was the right length of time for each trainee to spend in the US Patent Office.

60. Computer Software, particularly in Relation to the Program of the Economic and Social Council of the United Nations (document AB/I/27, paragraphs 2 and 3). On the basis of an observation made by the Delegation of the United Kingdom, it was generally agreed that the problem here was that of the legal protection of computer programs (as distinguished from the problem of the impact of the use of computers for the storage and retrieval of works under copyright on the legal protection of such works) and that it was of interest to developed as well as developing countries.

61. Relations of WIPO with the United Nations (document AB/I/27, paragraphs 4 to 12). During a discussion in which several Delegations participated, the desirability of closer ties with the United Nations was pointed out, particularly by the Delegations of Brazil, Germany (Federal Republic), the Soviet Union, the United Kingdom and the United States of America.

It was agreed that the Director General should study the possibility and desirability of entering into an agreement under Articles 57 and 63 of the Charter of the United Nations. The Delegations of Germany (Federal Republic) and the United Kingdom mentioned that on previous occasions they had expressed certain doubts regarding the advisability of such an agreement but that they would have no objections to a further study of the question by the Director General. The Resolution attached as Annex D was unanimously adopted.

62. Technical Assistance, particularly in Relation to the United Nations Development Program (document AB/I/27, paragraphs 13 and 14). After an exchange of views in which several Delegations participated and the Delegation of Brazil expressed its Government's special interest in the matter, the Resolution attached as Annex E was unanimously adopted.

63. International Patent Classification (document AB/I/7, paragraph 25). In connection with the program concerning various aspects of patent documentation, particularly the International Patent Classification, the Delegation of the Soviet Union underlined the need for coordination of WIPO's efforts with those of UNISIST (a feasibility study on the establishment of a world science information system) being conducted under the aegis of ICSU (International Council of Scientific Unions) and Unesco. Effort should be made, in particular, to include the International Patent Classification in the UNISIST system. WIPO should participate in the UNISIST Special Conference scheduled for 1971. The Secretariat said that it had the need for coordination very much in mind, had participated in several UNISIST meetings, and planned to continue to do so.

64. Madrid Union (document AB/I/7, paragraphs 30 to 37). Reference is made to the explanations given by the Secretariat in reply to the questions of the Delegation of Austria (see paragraph 55, above).

65. The Hague Union (document AB/I/7, paragraph 11). The Delegations of Switzerland and France expressed concern at the anticipated deficit, which, when added to those of previous years, might mean that member States would soon be obliged to cover the deficits by contributions.

66. It was decided that the Director General of WIPO would convene a meeting of States members of the Hague Union in 1971 for the purpose of finding a remedy for the financial position of that Union and, if necessary, increasing the fees charged for the international deposit of industrial designs.

67. Agreement on the International Registration of Marks  
(document AB/I/7, paragraph 34, and document AB/I/20).

The Delegation of the United States of America, in introducing the proposal of its Government (document AB/I/20), declared that, in its opinion, the time had come to establish a truly universal agreement on the international registration of marks, that the discussions in the Committee of Experts which had met for that purpose in April 1970, within the framework of the Madrid Union, had shown that this aim would be very difficult to achieve through revision of the Madrid Agreement for the International Registration of Marks since several States party to the Agreement were opposed to making certain adjustments in which States not party to the present Agreement were very much interested, and that it was therefore necessary to place the establishment of a universal agreement on the international registration of marks within the broader context of the Paris Union.

68. During the course of the discussion, it was unanimously agreed that it would be in the general interest to have an agreement on the international registration of marks whose scope would be broader than that of the existing Madrid Agreement. Several Delegations of member States of the Madrid Union declared, however, that such an aim could be achieved by a revision of the Madrid Agreement, that the conflicting opinions revealed in the Committee of Experts in April 1970 could probably be reconciled by means of compromise solutions, and that, for the moment at least, the work should continue in the form of a revision of the Madrid Agreement, but perhaps with all the interested States of the Paris Union being invited to take part in the meetings of the committees of experts which would be entrusted with the revision work.

69. Eventually, it was unanimously decided:

(a) that the aim was to achieve an agreement on the international registration of marks which should be acceptable to a much wider circle of countries than the present Madrid Agreement; that such an agreement should be achieved through an appropriate revision of the Madrid Agreement; and that only if the preparatory work clearly showed that the said goal could not be obtained through revision of the Madrid Agreement should the possibilities of concluding a treaty independently of the Madrid Agreement be envisaged;

(b) that the diplomatic conference would be preceded by sessions of committees of experts to which all States of the Paris Union would be invited and in which these States would have an equal standing;

(c) that these sessions, like those of the PCT, would be prepared by the International Bureau with the collaboration of a small group of government consultants, and in consultation with interested circles.

70. Developing Countries and Patent Licensing (document AB/I/21). The Delegation of Sweden, in introducing the proposal of its Government (document AB/I/21), stressed the need to start with a study concerning the appropriate form of cooperation in the patent field between developing and developed countries with respect to license agreements and transfer of technology.

71. The Delegations of Algeria, Argentina, Australia, Brazil, Cameroon, Czechoslovakia, Germany (Federal Republic), Italy, Kenya, the Netherlands, Norway, the Soviet Union, Switzerland, Tunisia, the United States of America and Yugoslavia expressed their gratitude to the Delegation of Sweden for presenting a most interesting idea and said that in their view the Swedish proposal should be the subject of careful study. In this connection, several Delegations emphasized the urgent desire of developing countries to benefit from the patent system for licensing purposes and the need for adequate means to facilitate this. In addition, the Delegation of the United States of America referred to Chapter IV of the PCT for developing countries and suggested that the study should not be confined to the Swedish proposal. The Delegation of Australia said that this was a broader problem.

72. The Delegations of Denmark, France, Germany (Federal Republic), the Netherlands and the United Kingdom, while agreeing that the proposal was interesting and deserved careful study, said that, before a decision was made on the desirability of convening a working group, studies should be carried out by the International Bureau. The Delegation of the Netherlands suggested that a survey among the member States be carried out first, and then the study.

73. The Delegation of Brazil, supported by the Delegations of Algeria, Argentina, Cameroon, Ceylon, the Congo (Democratic Republic), Kenya, Morocco, Nigeria, Tunisia, Turkey and the United Arab Republic, stressed the need for an adequate representation of developing countries on an equitable geographical basis in any working group which might be established.

74. Several Delegations referred to the activities of Organizations of the United Nations system in the field of the transfer of technology and, in particular, to the report of the Secretary-General of the United Nations on the role of patents in the transfer of technology to developing countries. The Representative of the United



Nations referred to the cooperation between BIRPI and the UN Secretariat which had been established during the preparation of the said report and informed the meeting that the United Nations Secretariat was now concerned with preparations for a meeting of governmental experts on the transfer of operative technology to be convened in 1971 to examine a series of case studies prepared on a country-by-country basis.

75. In the ensuing discussion, doubts were expressed on the question whether all aspects of the transfer of technology problem would fall appropriately within the competence of WIPO.

76. The Delegation of Germany (Federal Republic), supported by several other Delegations, expressed concern about certain legal difficulties which might be inherent in the Swedish proposal where it proposed that patents granted in developed countries be extended to developing countries. Such an extension could be justified only if the patented invention, when extended, was new. Particular difficulties were foreseen in the case where the basic invention was owned by different persons in different countries. A further study of the proposal would have to take into account the experience gained in several countries with the system of patents of importation.

77. The Delegations of Algeria, Australia and the Soviet Union expressed some doubt as to the need for concluding a new convention on this subject. In their view, the question to be examined first was whether the problem could not be solved through existing instrumentalities. The Delegation of Algeria also referred to the detailed and practical solutions proposed with respect to this question in the Model Law for Developing Countries on Inventions prepared by BIRPI.

78. After further considerable discussion, general support was expressed for the procedure according to which the Swedish proposal would first be circulated to the Governments of the Paris Union countries together with a questionnaire prepared by the Secretariat. The questionnaire should ask for an expression of opinion on the main elements of the Swedish proposal. It should also seek information on existing experience relating to patents of importation and national licensing authorities, and available statistics relating to the transfer of technology by means of license agreements. Once the survey was completed, the Secretariat should establish the preparatory documentation for a committee of governmental experts or a working group to be convened at an appropriate time to study the proposal in depth. In preparing this documentation, the Secretariat would take into account all available information concerning the activities of other

intergovernmental organizations in the field of the transfer of technology.

79. Revision of the Berne Convention. With regard to paragraph 52 of document AB/I/7, concerning preparations for a revision Conference of the Berne Convention, the Assembly and the Conference of Representatives of the Berne Union noted that the revision Conference would be held from June 21 to July 10, 1971, probably in Paris. In the light of the preparatory work which had already been carried out by the meetings held in May and September 1970, the said paragraph 52 had been modified by deleting the third sentence and by substituting for the second sentence the following sentence: "The aim of the revision is to find new solutions for the international protection of literary and artistic works with particular reference to the needs of developing countries in the fields of translation and reproduction of such works."

80. In connection with the deletion of the third sentence, the Delegations of Italy and Romania reserved the position of their Governments in view of their opinion that the task of finding new solutions to the problems of the relationship between the two Conventions should continue to appear as one of the aims of the revisions of the Berne and Universal Copyright Conventions.

81. The Delegation of France said that certain points in the Washington Resolution referred to in paragraphs 10 and 13 of document AB/I/15 were not accepted by its Government.

82. The Delegation of Japan called attention to a difficulty which might arise in connection with the revision of the Stockholm Act of the Berne Convention. It recalled that according to Article 14(2) of the WIPO Convention any State party to the Berne Convention may become party to the WIPO Convention "only if it concurrently ratifies or accedes to, or only after it has ratified or acceded to ... the Stockholm Act of the Berne Convention in its entirety or with only the limitation set forth in Article 28(1)(b)(i) thereof." If new accessions to the Stockholm Act of the Berne Convention were not going to be permitted after the entry into force of the next revision Act--and that was precisely what was provided for in the draft texts appearing in document DA/33/17--States which had not acceded to the Stockholm Act would be deprived of the possibility of becoming members of WIPO.

83. The Director General declared that the observation of the Delegation of Japan was pertinent and the problem mentioned would be carefully studied. The Delegation of France requested that the contents of the intervention of the Delegation of Japan be communicated to all member States at the same time

as the other preparatory documents for the revision Conference.

84. The Delegation of Romania, after recalling that its Government had agreed in principle with the planned revision, requested that the question of the unification of the international copyright conventions be studied by the Executive Committee of the Berne Union.

85. The Delegation of Germany (Federal Republic) expressed the view that, notwithstanding the great interest the question presented, it could not be included in the program of the revision Conferences scheduled for 1971 since they were intended to deal essentially with the problem of meeting the needs of developing countries in the field of copyright. The Delegation of France agreed with this last remark.

86. Treaty on the Protection of Phonograms. The Assembly and the Conference of Representatives of the Berne Union noted with approval the Resolution of the Permanent Committee of the Berne Union concerning the protection of phonograms (see page 3 of document DA/33/18 attached to document AB/I/19) and the Assembly decided to implement the Resolution in 1971. The Conference of Representatives noted this decision with approval.

87. The Delegation of Italy, while reserving its position, and the Delegation of Germany (Federal Republic) expressed the opinion that the negotiation of a new international instrument for the protection of phonograms should take into account the balance achieved in the Rome Convention of 1961 for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (ratification of which was currently under consideration in Italy), and should seek to find some links with that Convention. The Delegation of Germany (Federal Republic) expressed doubts as to whether it would be possible for the preparatory work to be concluded in time for signature of a new instrument at the same time as the signature of the revised Act of the Berne Convention. It recalled that, according to the Resolution referred to above, member States of the Paris Union were also to be invited to the proposed committee of experts. The Assembly and Conference of Representatives of the Berne Union took note of this fact.

88. Joint Meetings with the Intergovernmental Copyright Committee. General support was expressed for the continuation of the system under which the Intergovernmental Copyright Committee established by the Universal Copyright Convention and the Permanent Committee of the Berne Union had met jointly at regular intervals. In view of the fact that the Executive Committee of the Berne Union, established under the Stockholm Act, would hold its ordinary sessions at the same time as the

ordinary sessions of the Executive Committee of the Paris Union and of the Coordination Committee of WIPO, it was noted that the continuation of this system would require the convening of an extraordinary session of the Executive Committee of the Berne Union, generally every two years, starting in 1971, to enable it to hold joint sessions with the Intergovernmental Copyright Committee in agreement with the latter. The program was modified accordingly by the Assembly of the Berne Union and noted with approval by the Conference of Representatives of the same Union. Several Delegations expressed the view that the Executive Committee would in future wish to deal with administrative matters at its ordinary sessions and with questions of copyright law at extraordinary sessions.

89. Communications Satellites and Computers. - The Delegation of Canada expressed particular interest in the items of the program concerned with communications satellites and computers and asked what progress had been made in the examination of copyright problems in connection with the use of electronic computers for storing and reproducing copies of protected works. The Director General replied that a study on this subject had been commissioned in order to enable preparatory documentation to be established for a committee of experts to be convened in due course. (This study was separate from that mentioned in document AB/I/27, which concerned a study of the legal protection of computer software, although some Delegations remarked that the two subjects were interlinked.)

90. Patent Cooperation Treaty (documents AB/I/7, paragraphs 59 to 63; AB/I/11.Rev.; AB/I/18). - Whereas the Delegations of Australia, Belgium, Poland, South Africa and the United States of America expressed the view that a slower pace of work in the International Bureau than that proposed in the draft program would suffice in 1971 since it would take at least four years before the Patent Cooperation Treaty would come into effect, the Delegations of Algeria, Austria, Brazil, Canada, Denmark, Finland, France, Germany (Federal Republic), Hungary, Ireland, Japan, the Netherlands, Norway, Sweden, Switzerland, the Soviet Union and the United Kingdom expressed the opinion that, even if the Treaty entered into force only around 1975, preparatory work at the rate proposed was required, the more so as it was urgently necessary to start the technical assistance program for developing countries.

91. The Delegation of Germany (Federal Republic) particularly stressed the need for the preparatory work on the harmonization of searching methods to start early since it was a difficult and time-consuming matter, and drew attention to the fact that assistance to developing countries, being a new idea in the PCT, would have to be thought out and prepared without the

benefit of any past preparatory work in the context envisaged in the PCT.

92. As to the computation of the recommended amounts of special contributions to the PCT work of the International Bureau, the Delegation of France expressed the desire that the question be examined whether its contribution should not be calculated so as to take into account the fact that the novelty examination of patent applications was being introduced gradually in France and was only in its early stages. The Delegation of Australia suggested that the computation should be based on principles similar to those incorporated in Article 57(5)(b) of the PCT and on the number of original national filings.

93. As to the nature of the contributions--cash or services-- the Delegation of the Soviet Union said that the Soviet Office was seeking to obtain authorization from the competent Soviet authorities for the furnishing to the International Bureau of the services of one qualified person and hoped that such authorization would be granted.

94. On the same question, the Delegation of the United States of America stated that the US Patent Office was seeking to obtain authorization from Congress to enable it to make its contribution in cash but that it was unlikely that such authorization could be obtained in time at least for 1971, and that, in the latter event, the United States contribution would consist of the furnishing to the International Bureau of the services of one qualified person.

95. The Delegation of the United States also observed that **part** of the information the International Bureau proposed to gather as part of its PCT program could be based upon information already gathered by BIRPI in connection with its work under a contract with the United States, totaling over \$80,000, and that if such information were used the United States should be given due credit and recognition in connection with contributions to the PCT program. There was no discussion on this **observation**.

96. Several Delegations, in particular those of Denmark, Germany (Federal Republic), Finland, France, Italy, Japan, the Netherlands, Sweden and the United Kingdom, said that contributions in the form of the loaning of staff were unsatisfactory and unfair to them. The Secretariat had no power to choose the persons it needed and had no disciplinary powers over the persons on loan. On returning to their home Offices, persons on loan brought with them new experience and offered advantages to such Offices which the other Offices did not have. The strong hope was expressed

that after 1971 and as from 1972 all contributions would be in cash. Several Delegations said that all their pledges related to 1971 and their attitude thereafter would depend to a certain extent on the nature of the contributions of other countries.

97. The PCT program and budget was then approved as proposed, as was a resolution attached as Annex F.

98. The pledges of the various Delegations towards the PCT budget are recorded in Annex G. The Delegation of Mexico reserved its Government's position. The Delegation of Romania expressed the view that the distribution according to document AB/I/11 of March 1970 was better than that proposed in document AB/I/11. Rev.

99. The Resolution of the Washington Diplomatic Conference on the Patent Cooperation Treaty was unanimously endorsed, and the proposals for its implementation as set out in document AB/I/18 were unanimously adopted, by the Assembly, the Conference of Representatives, and the Executive Committee of the Paris Union, and it was decided that all States which had signed or would sign the said Treaty would be members of each of the three Interim Committees in question.

100. Contributions by the German Democratic Republic. The Director General informed the meeting that he had received a letter from the Office for Inventions and Rationalization of the German Democratic Republic concerning the contributions to the Paris Union, a question which he had reserved for submission to the present meetings. In view of the fact that the political problem involved was still undecided, he said that, unless otherwise instructed, he would continue the present practice of keeping the contributions paid by the German Democratic Republic in a separate account until the question was solved. In the light of recent political events, this might be the case in the not too distant future. The Delegation of the Soviet Union said that it was not justified to freeze these amounts in view of the status of the German Democratic Republic as a full member. It proposed that the question of the amount of the contributions of the German Democratic Republic should be removed from the agenda of the WIPO General Assembly and expressed the opinion that the matter should be decided by the Director General in accordance with the WIPO Convention. The General Assembly noted the declarations of the Director General and of the Delegation of the Soviet Union.

101. Contributions of the United States of America. The Delegation of the United States of America said that it approved in general the program and amounts requested in the light of

that program. It asked, however, that the fact be noted that, since the share of the United States in the amounts requested was in excess of what it was currently authorized to contribute, it would be necessary to seek new authorizing legislation and it was presently seeking such legislation.

102. Temporary Building. The meeting noted the Secretariat's declaration according to which a temporary building, to provide offices for some 50 employees, would be erected in the next few months; that its cost would be financed from a loan whose repayment would take approximately 10 years; and that the item "rent" in the budget would be mainly used for covering the first three yearly repayments on such a loan.

103. Adoption of Program and Budget. Subject to what results from the foregoing paragraphs, the WIPO General Assembly adopted the triennial (1971 to 1973) budget of expenses common to the Unions; the WIPO Conference established the triennial program of legal-technical assistance and adopted the triennial budget of the Conference; the Assemblies of the Paris, Berne and Nice Unions determined the program and adopted the triennial budgets of their respective Unions; the States members of the said Unions not bound by the decisions of the said Assemblies expressed a favorable opinion on the program and fixed the ceiling of their contributions (see Annexes H, J, K); and the WIPO Coordination Committee and the Executive Committees of the Paris and Berne Unions approved, each as far as it was concerned, the specific budgets and programs for 1971, all as proposed in the documents enumerated in paragraph 58, above.

#### XIV. HEADQUARTERS BUILDING

104. The discussions were based on documents WO/CC/I/7 and WO/CC/I/8 and their annexes.

105. Mr Krieger (Federal Republic of Germany), Chairman of the Headquarters Building Subcommittee, introduced the said documents, in particular the reports of the two sessions of the Subcommittee (HB/I/6 and HB/II/5).

106. The Delegation of Italy, referring to the position adopted recently by the Delegate of Italy on the Subcommittee, said that it was now able to accept the conclusions reached by the Subcommittee and hoped that a satisfactory solution would be found to the aesthetic problems.

107. The Delegation of Switzerland declared that the authorities of the Swiss Confederation and of the Canton of Geneva would continue to do everything in their power to facilitate the construction of a new building for WIPO in Geneva; that the conditions for financing the construction

were accurately indicated in the cited documents in the sense that they represented conditions analogous to those accorded by FIPOI to some of the other intergovernmental organizations having their headquarters in Geneva; that, however, there was no formal agreement yet between WIPO and FIPOI; finally, that FIPOI might require that part of the construction costs be financed by the Organization itself, for example, through a loan from its Pension Fund.

108. The meeting noted with appreciation the attitude of the Swiss authorities and of FIPOI and shared the Secretariat's hope that it would be possible to obtain the same conditions as the most favored organizations having their headquarters in Geneva.

109. Thereupon, the Coordination Committee took certain decisions which had the following results in a meeting of the bodies indicated below which was held immediately after that of the Committee.

110. The General Assembly and the Conference of the World Intellectual Property Organization, as well as the Assemblies and the Conferences of Representatives of the Paris, Berne and Nice Unions, approved the following unanimous decisions of the first ordinary session (1970) of the Coordination Committee of the Organization:

(a) The Coordination Committee endorsed the conclusions of the Headquarters Building Subcommittee as to the specifications of a new building, the financing of its construction, and the choice of the project "ARC," as reflected in the reports of the Subcommittee (documents HB/I/6 and HB/II/5).

(b) The Coordination Committee authorized the Director General to go ahead with the planning and construction of a building according to the project "ARC," subject to approval by the Coordination Committee, at a later meeting, of the definitive plan for the financing of the construction.

(c) The Coordination Committee invited the Director General to communicate, before the meeting referred to in subparagraph (b), all the documents which he will submit to the Coordination Committee in preparation for the said meeting to all members of the World Intellectual Property Organization, the Paris Union, or the Berne Union.

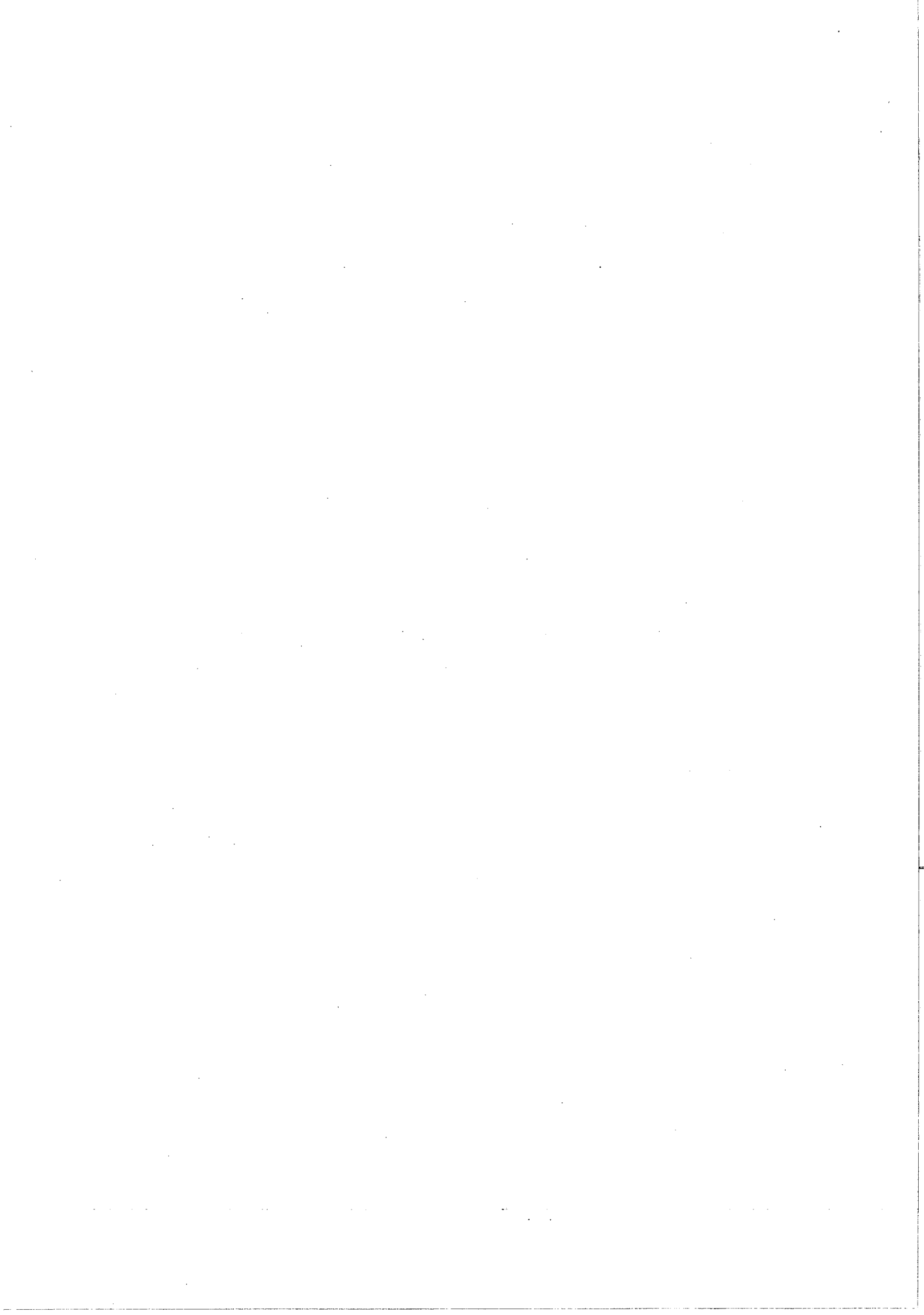
(d) The Coordination Committee decided to maintain the Headquarters Building Subcommittee as proposed in paragraph 16 of document WO/CC/I/8.



XV. ADOPTION OF THE GENERAL REPORT

111. This General Report was unanimously adopted by the bodies mentioned in paragraph 1, in their meetings on September 28, 1970.

/Ten Annexes follow/

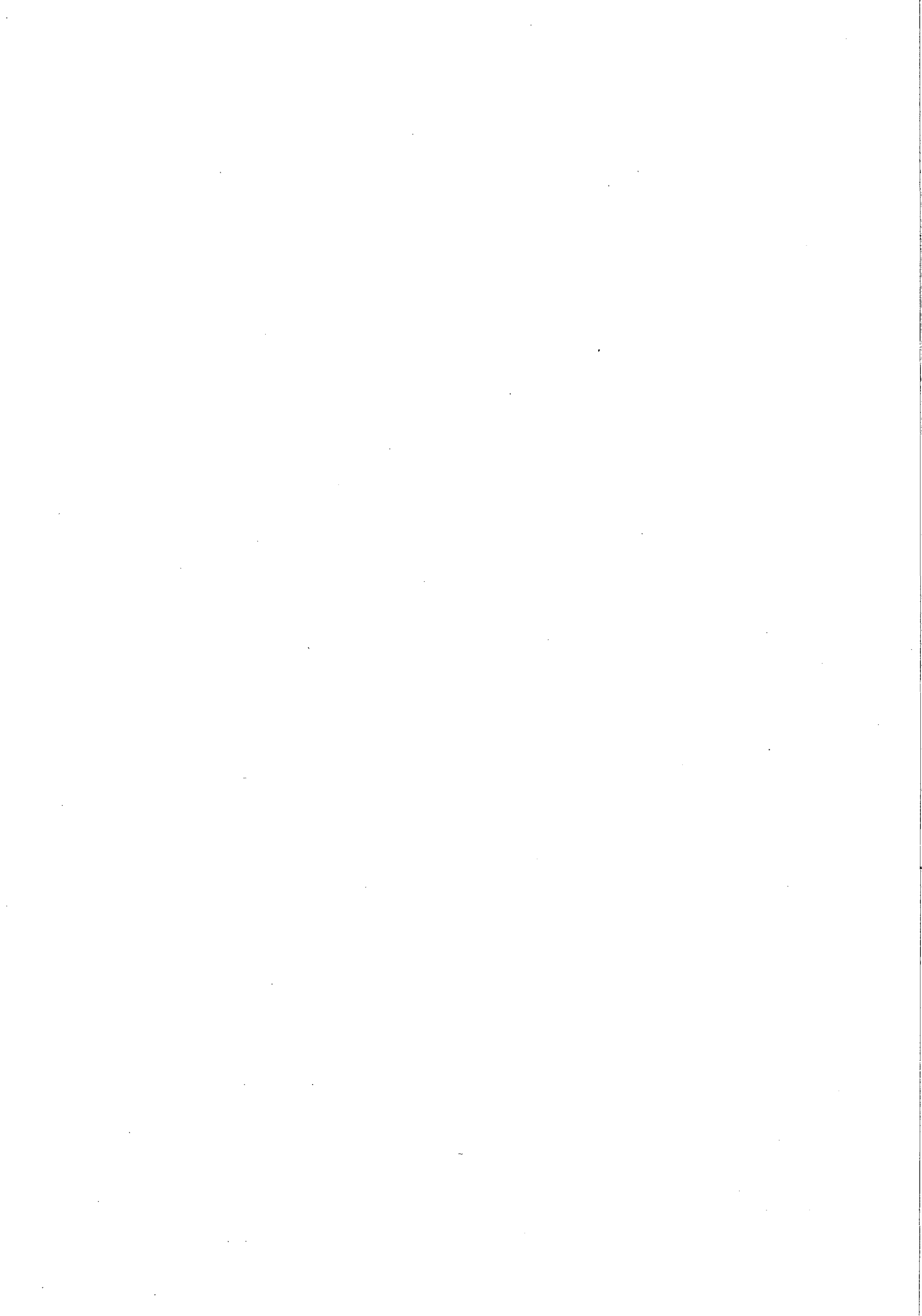


ANNEX A

Resolution

1. The countries members of the International Union for the Protection of Literary and Artistic Works (Berne Union) which are not members of the Assembly of the said Union,
2. Meeting in Geneva from September 21 to 28, 1970.
3. Resolve to establish a Conference of Representatives of the Berne Union;
4. Decide that the members of this Conference shall be those member countries of the Berne Union which are not members of the Assembly of the Berne Union, and that any member country of the Berne Union which, in the future, shall become a member of the Assembly of the Berne Union shall automatically cease to be a member of the Conference of Representatives;
5. Decide that the Conference of Representatives shall meet every three years in ordinary session in order to draw up, for each three-year period to come, a report on the foreseeable expenditure of the International Bureau as far as the Berne Union is concerned, and to consider questions relating to the protection and the development of the said Union;
6. Resolve that the Conference of Representatives may modify, by unanimous decision, the maximum annual amount of the expenditure of the International Bureau as far as the countries members of the Conference of Representatives are concerned, provided that it meets as a Conference of Plenipotentiaries upon convocation by the Government of the Swiss Confederation;
7. Resolve that the Conference of Representatives shall establish its own rules of procedure.

Unanimously adopted on  
September 28, 1970.

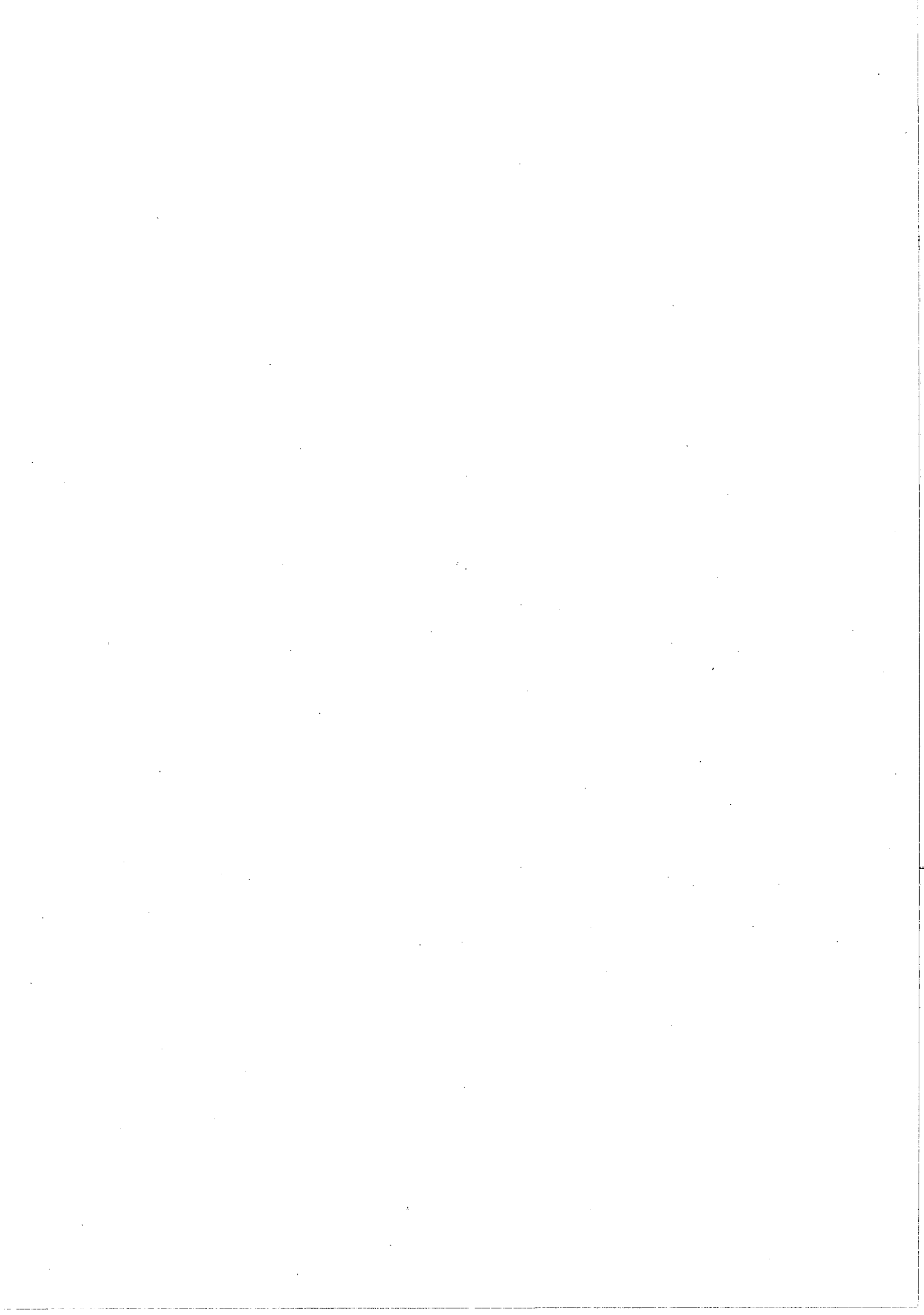


ANNEX B

Resolution

1. The countries members of the International Union Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Union) which are not members of the Assembly of the said Union,
2. Meeting in Geneva from September 21 to 28, 1970,
3. Resolve to establish a Conference of Representatives of the Nice Union;
4. Decide that the members of this Conference shall be those member countries of the Nice Union which are not members of the Assembly of the Nice Union, and that any member country of the Nice Union which, in the future, shall become a member of the Assembly of the Nice Union shall automatically cease to be a member of the Conference of Representatives;
5. Decide that the Conference of Representatives shall meet every three years in ordinary session in order to draw up, for each three-year period to come, a report on the foreseeable expenditure of the International Bureau as far as the Nice Union is concerned, and to consider questions relating to the protection and the development of the said Union;
6. Resolve that the Conference of Representatives may modify, by unanimous decision, the maximum annual amount of the expenditure of the International Bureau as far as the countries members of the Conference of Representatives are concerned, provided that it meets as a Conference of Plenipotentiaries upon convocation by the Government of the Swiss Confederation;
7. Resolve that the Conference of Representatives shall establish its own rules of procedure.

Unanimously adopted on  
September 28, 1970.



ANNEX C

Address given by Professor G.H.C. Bodenhausen  
on September 22, 1970, upon his election  
to the post of Director General of WIPO

Mr. Chairman,  
Ladies and Gentlemen,

It is a great honor for me to be elected the first Director General of the World Intellectual Property Organization and I am very pleased to have been thus called upon to continue and further develop, in a new and improved form of organization and in a wider perspective, the work done so far in BIRPI. A new era has commenced for which the objectives and the means of achieving them have been set out in the WIPO Convention. These are challenging tasks and it goes without saying that I shall work on them to the best of my ability and, I hope, in the same fruitful relationship with member States as in the past.

However, I shall not be working on this alone and I should therefore like to make an additional remark.

It is well known that whenever a military unit fights well it is the General who receives the decorations, or even promotion. The same would seem to apply to my election, which, if it is an expression of confidence, must be interpreted above all as an expression of confidence in the work done so far by BIRPI and now to be done by the International Bureau of WIPO. It is true that nothing much could have happened in BIRPI, nor could it happen in WIPO, without the outstanding support given to me by my collaborators both high and low. It gives me great pleasure to mention first in this respect the First Deputy Director, Dr. Bogsch, who has been with me in BIRPI almost from the start of my tenure and whose extraordinary intelligence and dynamism, unwaivering devotion to duty in the widest sense, and incredible capacity for work, are known to most, if not all, of you. But others too, either already present on the staff of BIRPI on my arrival or who have reinforced our ranks during these latter years, have done their utmost to make our work successful. I believe that, almost without exception, our BIRPI team, which from now on will operate as the Secretariat of WIPO, is an excellent one, which can be asked to make almost any effort.

.../...

That is why, as I already observed, the confidence expressed through my election is in reality an expression of confidence in our team. I am very grateful for such confidence, and also for the work of our team which has made it possible. With the assistance of all concerned we shall carry on. Thank you.



ANNEX D

Resolution

The General Assembly and the Conference of the World Intellectual Property Organization (WIPO):

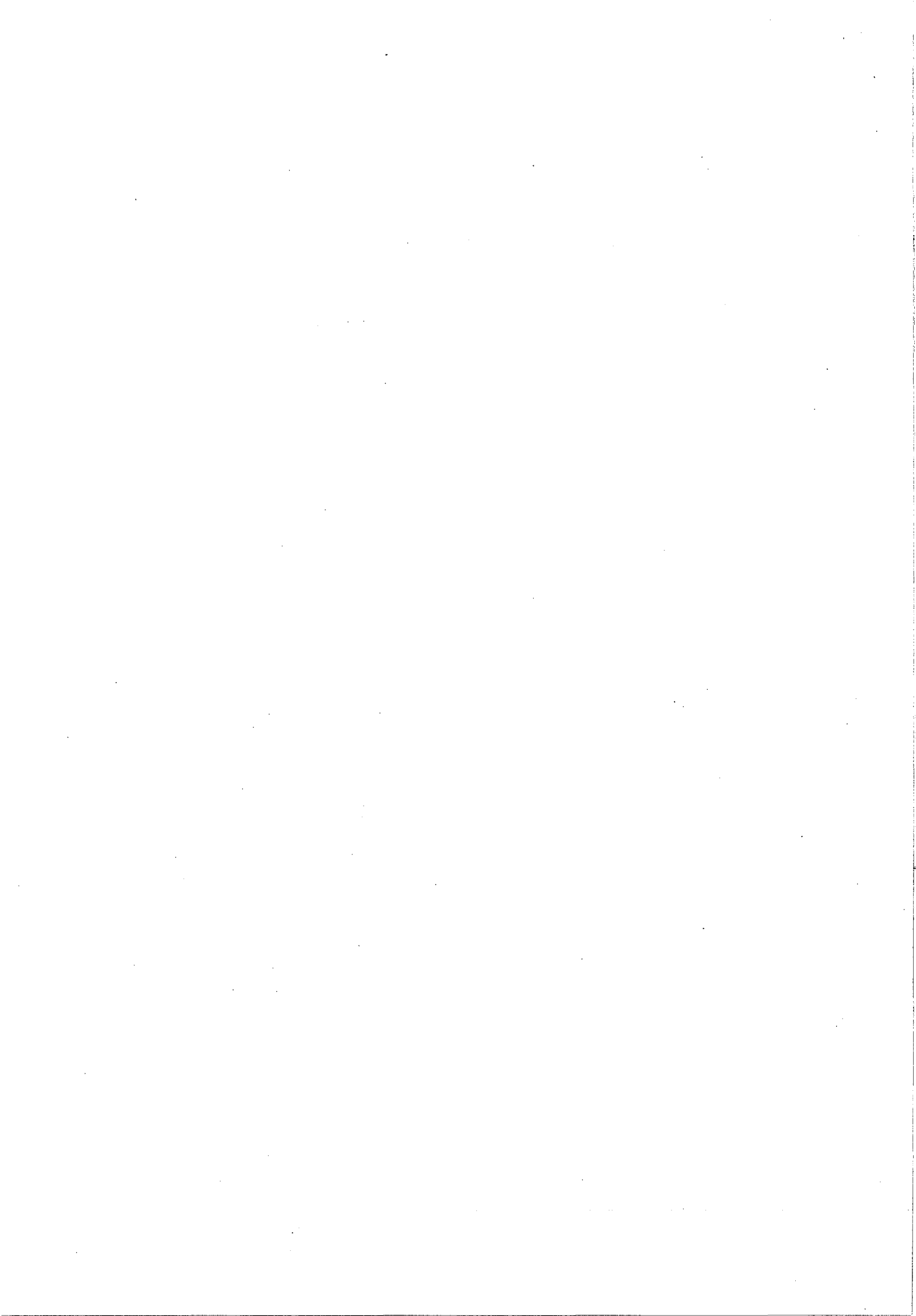
Considering that the objectives of the World Intellectual Property Organization include responsibility for an important sector of international cooperation in the economic and cultural fields, with particular reference to the needs of developing countries,

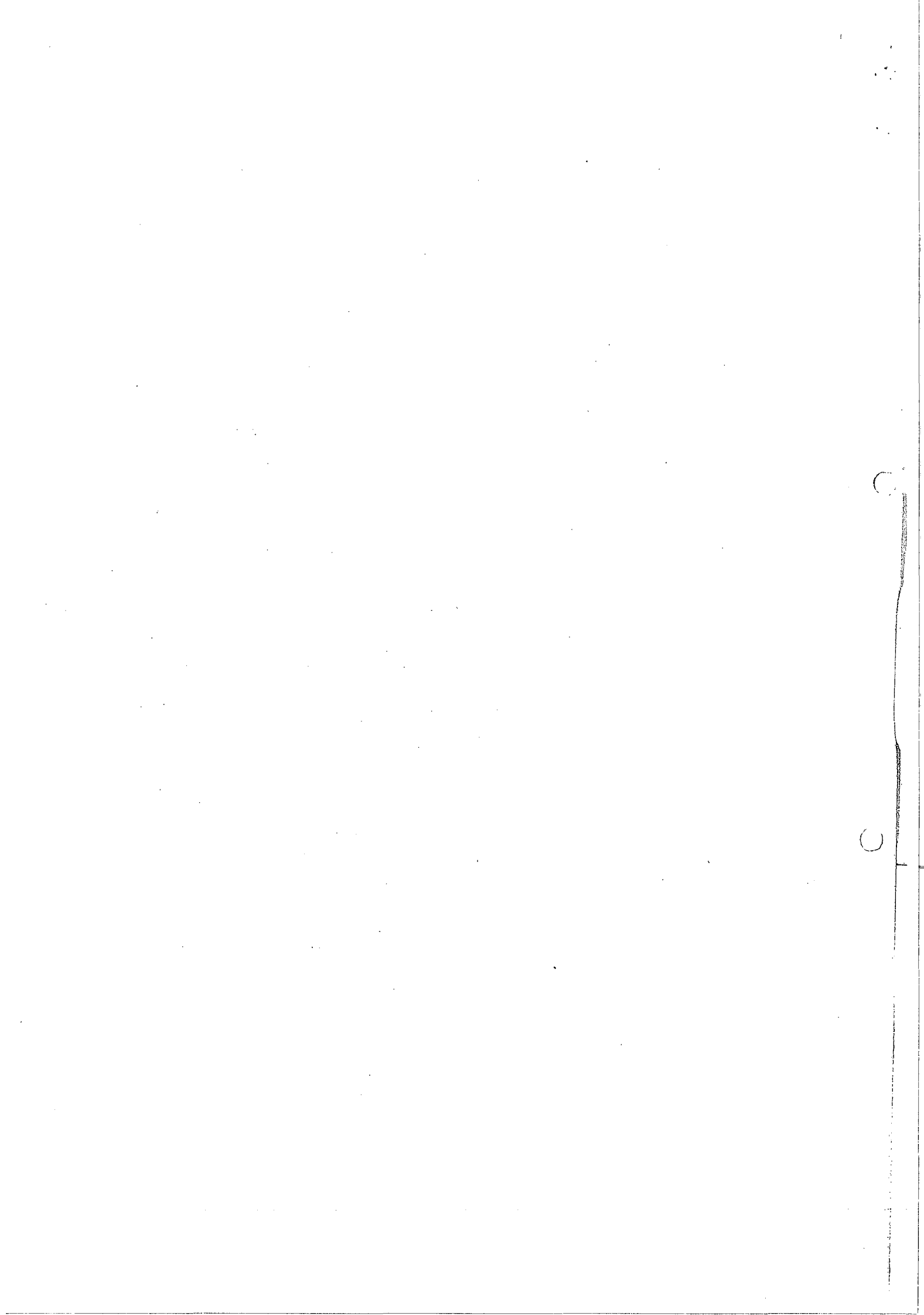
Considering that the effective fulfillment of that responsibility, particularly in respect of developing countries, requires appropriate cooperation and coordination between the World Intellectual Property Organization on the one hand and the United Nations and the organizations of the United Nations system on the other hand, and

Considering that such cooperation and coordination would assist developing countries in the planning and formulation of technical assistance projects under the WIPO legal-technical assistance program or in the context of Chapter IV of the Patent Cooperation Treaty, and in ensuring that such projects are financed and executed,

Invite the Director General of the World Intellectual Property Organization to examine, with the possible assistance of consultants, working groups of experts or such other advice as he may deem desirable, the means of securing the most appropriate cooperation and coordination between the World Intellectual Property Organization on the one hand and the United Nations and the organizations of the United Nations system on the other hand, including the possibility and desirability of entering into an agreement under Articles 57 and 63 of the Charter of the United Nations, and to report to the next ordinary sessions of the General Assembly and the Conference of the World Intellectual Property Organization.

Unanimously adopted on  
September 28, 1970.





ANNEX E

Resolution

The General Assembly and the Conference of the World Intellectual Property Organization (WIPO),

Noting that the Assembly, the Conference of Representatives and the Executive Committee of the International (Paris) Union for the Protection of Industrial Property have established an Interim Committee for Technical Assistance in accordance with the resolution of the Washington Diplomatic Conference on the Patent Cooperation Treaty, 1970,

Emphasizing the need to continue and strengthen the work undertaken by the United International Bureaux for the Protection of Intellectual Property (BIRPI) under its Technical Assistance Program,

Instruct the Director General of the World Intellectual Property Organization to inform the Administrator of the United Nations Development Program of the willingness of the World Intellectual Property Organization to act as an executing agency or as a subcontractor in technical assistance projects within the field of the promotion of the protection of intellectual property, with particular reference to facilitating the transfer of technology to developing countries;

Authorize the Director General of the World Intellectual Property Organization, with the advice of the Interim Committee for Technical Assistance, to negotiate with the Administrator of the United Nations Development Program and with other appropriate intergovernmental organizations such general agreements as may be desirable to facilitate the financing and execution of technical assistance projects requested by Governments within the context of the Patent Cooperation Treaty and of the Convention Establishing the World Intellectual Property Organization;

Recommend that the Interim Committee for Technical Assistance give early consideration to pilot technical assistance projects requested by individual Governments or by groups of Governments within the context of the Patent Cooperation Treaty with a view to their commencement before the formal entry into force of the Treaty.

Unanimously adopted on  
September 28, 1970.

## ANNEX F

Resolution

The Executive Committee of the International (Paris) Union for the Protection of Industrial Property, in its session held at Geneva in September 1970,

Considering that the ordinary contributions to the budget of the Paris Union do not allow for the covering of the International Bureau's expenses connected with the work for the preparation of the entry into force of the Patent Cooperation Treaty signed at Washington on June 19, 1970,

Taking as a basis for the estimation of each country's potential interest in the said Treaty the number of applications for patents, inventors' certificates and utility certificates filed in the various countries, the number of such applications filed in foreign countries by the nationals of the various countries, and the number of patent applications received from abroad by the various countries,

Recommends that the following countries pay the following amounts to the International Bureau as special cash contributions for the year 1971 to cover that Bureau's expenses connected with the work for the preparation of the entry into force of the Patent Cooperation Treaty signed at Washington on June 19, 1970:

	US dollars or Swiss francs	
United States	33,460	144,548
Germany (Fed. Rep.)	22,880	98,842
Japan	19,220	83,030
United Kingdom	18,360	79,315
Soviet Union	16,140	69,725
France	15,940	68,861
Canada	8,900	38,448
Italy	7,460	32,227
Switzerland	6,820	29,462
Netherlands	6,540	28,253
Sweden	5,660	24,451
Australia	4,220	18,230
Belgium	4,200	18,144
Mexico	3,700	15,984
Austria	3,620	15,638
Spain	2,660	11,491

US dollars or Swiss francs

Czechoslovakia	2,100	9,072
Denmark	2,040	8,813
Brazil	1,880	8,122
South Africa	1,700	7,344
Argentina	1,640	7,085
Norway	1,440	6,221
Poland	1,260	5,443
Finland	1,020	4,406
New Zealand	980	4,234
Hungary	860	3,715
Yugoslavia	760	3,283
Romania	640	2,765
Israel	620	2,678
Luxembourg	560	2,419
Greece	520	2,246
Bulgaria	440	1,901
Ireland	440	1,901
Portugal	380	1,642
Philippines	280	1,210
Iran	180	778
Liechtenstein	160	691
United Arab Republic	160	691
Turkey	160	691

Recommends further that any country not named in the preceding paragraph contribute for the said purposes whatever amount it wishes to contribute.

Unanimously adopted on  
September 28, 1970.

ANNEX G

PCT PLEDGES

The Delegations of the countries indicated below made the following pledges to the Assembly, the Conference of Representatives, and the Executive Committee, of the Paris Union, with regard to the contributions of their Governments to the PCT budget (the countries are listed in the order in which they are listed in the Resolution concerning such contributions (see Annex F)):

(1) the United States of America will furnish the services of two specialists, working full time throughout the entire year of 1971 at WIPO Headquarters, all expenses paid by the US Government, for PCT and ICIREPAT work;

(2) Germany (Federal Republic) will pay the amount indicated in the Resolution, subject to approval of its budget;

(3) Japan will pay the amount indicated in the Resolution, subject to the approval of the budget of its Patent Office by the Japanese Diet;

(4) the United Kingdom will pay the amount indicated in the Resolution, provided its contribution does not exceed 10% of the total contributions (it will indicate later whether contributions made by other Governments in the form of the loaning of staff may also be included in the basis for computing the 10%);

(5) the Soviet Union will furnish the services of one specialist, working full time throughout the entire year of 1971 at WIPO Headquarters, all expenses paid by the Soviet Government;

(6) France will pay the amount indicated in the Resolution, subject to approval of its budget;

(7) Canada will pay the amount indicated in the Resolution, provided that its contribution does not exceed 5% of the total of all contributions;

(8) Italy will pay the amount indicated in the Resolution, subject to approval by the Italian Administration, and on condition that the great majority will do likewise;

(9) Switzerland will pay the amount indicated in the Resolution, subject to approval of its budget by Parliament;

(10) the Netherlands will pay the amount indicated in the Resolution, on condition that the great majority will do likewise and subject to approval of its budget;

(11) Sweden will pay the amount indicated in the Resolution;

(12) Australia reserves its position and will communicate it later;

(13) Belgium reserves its position and will communicate it later;

(14) Mexico will communicate its decision later;

(15) Austria will probably pay the amount indicated in the Resolution;

(16) Spain is not in a position to make any commitments at the present meeting but will communicate its decision shortly;

(17) Czechoslovakia hopes to be able to pay the amount indicated in the Resolution but its final decision will be announced at a later date;

(18) Denmark will pay the amount indicated in the Resolution, provided that most of the other countries do likewise;

(19) Brazil will pay the amount indicated in the Resolution;

(20) South Africa is not in a position to make a formal pledge at the present meeting but does not foresee difficulties in paying the amount indicated in the Resolution;

(21) Argentina is not in a position to make any commitments at the present meeting but will communicate its decision shortly;



(22) Norway is confident that it will be authorized to pay the amount indicated in the Resolution;

(23) Poland will pay an amount of \$500;

(24) Finland will pay the amount indicated in the Resolution;

(25) New Zealand was not represented;

(26) Hungary will pay the amount indicated in the Resolution;

(27) Yugoslavia will pay the amount indicated in the Resolution, subject to approval of its budget;

(28) Romania agrees in principle to pay a contribution but its amount will be indicated later;

(29) Israel was not represented;

(30) Luxembourg is prepared to pay a contribution and will indicate the amount later;

(31) Greece, in spite of the modest contribution which it is asked to pay, is not yet in a position to make a formal pledge and will communicate its decision later;

(32) Bulgaria will communicate its decision later;

(33) Ireland is not yet in a position to make a formal pledge but foresees no difficulty in paying the amount indicated in the Resolution;

(34) Portugal is not yet in a position to make a formal pledge but foresees no difficulty in paying the amount indicated in the Resolution;

(35) the Philippines was not represented;

(36) Iran is not yet in a position to make a formal pledge but foresees no difficulty in paying the amount indicated in the Resolution;

(37) Liechtenstein was not represented;

(38) the United Arab Republic, in spite of the modest contribution which it is asked to pay, is not yet in a position to make a formal pledge and will communicate its decision later;

(39) Turkey, in spite of the modest contribution which it is asked to pay, is not yet in a position to make a formal pledge and will communicate its decision later;

(40) Algeria will pay an amount of \$500.

ANNEX H

Decision

The countries members of the International Union for the Protection of Industrial Property (Paris Union) not bound by the decisions of the Assembly of the Union and meeting as a Conference of Plenipotentiaries at Geneva from September 21 to 28, 1970,

Noting that the Assembly of the Paris Union has unanimously adopted a budget according to which the mandatory contributions of the countries members of the Paris Union shall be calculated on the basis of 2,000,000 Swiss francs for 1971, 2,200,000 Swiss francs for 1972, and 2,400,000 Swiss francs for 1973,

Decide unanimously that the maximum annual amount of the mandatory contributions of the countries members of the Paris Union not bound by the decisions of the Assembly of the said Union shall, for the said years, be calculated on the basis of the same amounts, and that the amount fixed for 1973 shall apply also for the years after 1973 pending a new decision for the said years.

Adopted on September 28, 1970.



ANNEX J

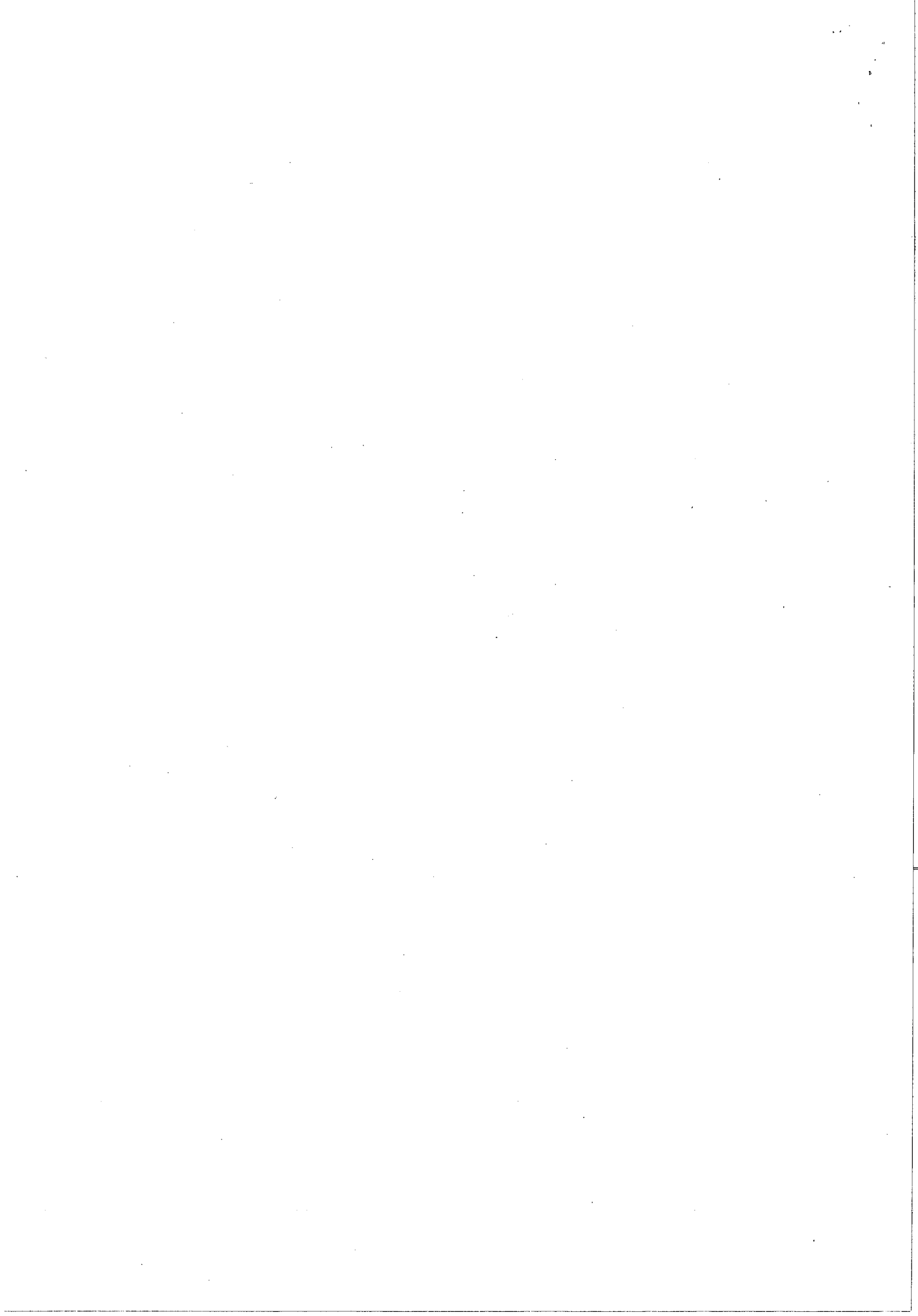
Decision

The countries members of the International Union for the Protection of Literary and Artistic Works (Berne Union) not bound by the decisions of the Assembly of the Union and meeting as a Conference of Plenipotentiaries at Geneva from September 21 to 28, 1970,

Noting that the Assembly of the Berne Union has unanimously adopted a budget according to which the mandatory contributions of the countries members of the Berne Union shall be calculated on the basis of 1,250,000 Swiss francs for 1971, 1,350,000 Swiss francs for 1972, and 1,500,000 Swiss francs for 1973,

Decide unanimously that the maximum annual amount of the mandatory contributions of the countries members of the Berne Union not bound by the decisions of the Assembly of the said Union shall, for the said years, be calculated on the basis of the same amounts, and that the amount fixed for 1973 shall apply also for the years after 1973 pending a new decision for the said years.

Adopted on September 28, 1970.



ANNEX K

Decision

The countries members of the International Union for the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Union) not bound by the decisions of the Assembly of the Union and meeting as a Conference of Plenipotentiaries at Geneva from September 21 to 28, 1970,

Noting that the Assembly of the Nice Union has unani-  
mously adopted a budget according to which the mandatory contributions of the countries members of the Nice Union shall be calculated on the basis of 100,000 Swiss francs for 1971, 110,000 Swiss francs for 1972, and 120,000 Swiss francs for 1973,

Decide unanimously that the maximum annual amount of the mandatory contributions of the countries members of the Nice Union not bound by the decisions of the Assembly of the said Union shall, for the said years, be calculated on the basis of the same amounts, and that the amount fixed for 1973 shall apply also for the years after 1973 pending a new decision for the said years.

Adopted on September 28, 1970.

/End of Annexes and  
of document/